

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

PATRICIA ANNE COTTON, etc., et al.,)
)
)
PLAINTIFFS,)
)
VS.) CASE NO.: CV-06-BE-1486-E
)
)
BETA-COM, INC., etc., et al.,)
)
)
DEFENDANTS.)

MOTION FOR SUBSTITUTION OF COUNSEL

COMES NOW, Patrick G. Montgomery, of Ferguson, Frost & Dodson, LLP (“Ferguson, Frost”) and moves this Honorable Court to substitute him as counsel for Jay E. Tidwell in the *Cotton* and *Wheeler* proceedings. As grounds therefore, Mr. Montgomery states:

1. While at Ferguson, Frost, Mr. Tidwell previously served as counsel for ALT, Inc. (“ALT”), WesTower Communications, Inc. (“WesTower”), Josh Cook (“Cook”), Adam Waterman (“Waterman”), and Matt Deadmond (“Deadmond”) in the *Cotton* and *Wheeler* cases.
2. Mr. Tidwell is no longer associated with the Ferguson, Frost firm.
3. J. Mitchell Frost, Jr. of Ferguson, Frost continues to represent ALT, WesTower, Cook, Waterman, and Deadmond in the *Cotton* and *Wheeler* cases.

WHEREFORE, premises considered, Mr. Montgomery respectfully requests this Honorable Court substitute him as counsel for Jay E. Tidwell in the *Cotton* and *Wheeler* cases.

Respectfully submitted,

/s/ Patrick G. Montgomery
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CERTIFICATE OF SERVICE

I hereby certify that I have on this 19th day of January, 2007, served a copy of the foregoing pleading via CM/ECF filing system on all parties of record:

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